**DECLARATION - USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

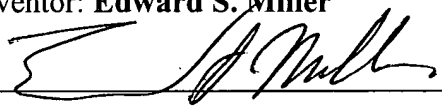
I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **SYSTEM AND METHOD FOR TUNING AND TESTING IN A SPEECH RECOGNITION SYSTEM**; the specification of which was filed on **December 1, 2003** as Application Serial No. **10/725,281**.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

-----  
Full name of first inventor: **Edward S. Miller**

Inventor's signature 

Date 4-8-04

Residence: **4224 Arista Street, San Diego, CA 92103**

Citizenship: **United States**

Post Office Address: **Same as Above**

Full name of second inventor: **James F. Blake II**

Inventor's signature 

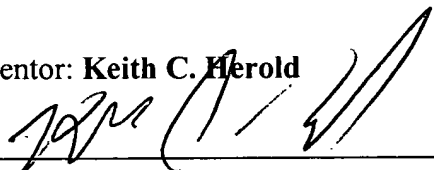
Date 5 APRIL 2004

Residence: **4424 44th Street, San Diego, CA 92115**

Citizenship: **United States**

Post Office Address: **Same as Above**

Full name of third inventor: **Keith C. Herold**

Inventor's signature 

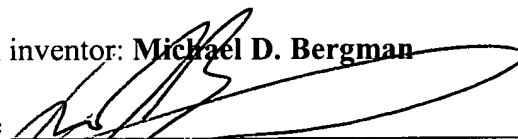
Date 02 APR 2004

Residence: **9084 Grammercy Drive, #145, San Diego, CA 92123**

Citizenship: **United States**

Post Office Address: **Same as Above**

Full name of fourth inventor: **Michael D. Bergman**

Inventor's signature 

Date 2 APRIL 2004

Residence: **14146 Powers Road, Poway, CA 92074**

Citizenship: **United States**

Post Office Address: **Same as Above**

Full name of fifth inventor: **Kyle N. Danielson**

Inventor's signature



Date

4/7/04

Residence: **8223 Prospect Avenue, San Diego, CA 92071**

Citizenship: **United States**

Post Office Address: **Same as Above**

Full name of sixth inventor: **Alexandra L. Auckland**

Inventor's signature



Date

April 7, 2004

Residence: **1160 Bostonia Street, El Cajon, CA 92021**

Citizenship: **United States**

Post Office Address: **Same as Above**

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Send Correspondence To:

**KNOBBE, MARTENS, OLSON & BEAR, LLP**

**Customer No. 20,995**



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Miller, et al. )  
)  
App. No. : 10/725,281 )  
)  
Filed : December 1, 2003 )  
)  
For : SYSTEM AND METHOD FOR )  
TUNING AND TESTING IN A )  
SPEECH RECOGNITION SYSTEM )  
)  
Examiner : Unassigned )

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION  
AND  
REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, Customer


**App. No.** : 10/725,281  
**Filed** : December 1, 2003

**No. 20,995**, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

Dated: 13 APR 04

LumenVox, LLC

By:   
Edward Miller

Title: CEO

Address: 3615 Kearny Villa Road, #202  
San Diego, CA 92123

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ASSIGNMENT

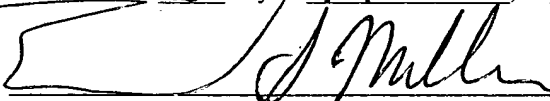
WHEREAS, we, Edward S. Miller, a United States citizen, residing at 4224 Arista Street, San Diego, CA 92103, James F. Blake II, a United States citizen, residing at 4424 44th Street, San Diego, CA 92115, Keith C. Herold, a United States Citizen, residing at 9084 Grammercy Drive, #145, San Diego, CA 92123, Michael D. Bergman, a United States Citizen, residing at 14146 Powers Road, Poway, CA 92074, Kyle N. Danielson, a United States citizen, residing at 8223 Prospect Avenue, San Diego, CA, 92071 and Alexandra L. Auckland, a United States citizen, residing at 1160 Bostonia Street, El Cajon, CA 92021, have invented certain new and useful improvements in a SYSTEM AND METHOD FOR TUNING AND TESTING IN A SPEECH RECOGNITION SYSTEM for which we have filed an application for Letters Patent in the United States, Application No. 10/725,281, Filed on December 1, 2003;

AND WHEREAS, LumenVox, LLC (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 3615 Kearny Villa Road, #202, San Diego, CA 92123, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 2 day of April, 2004

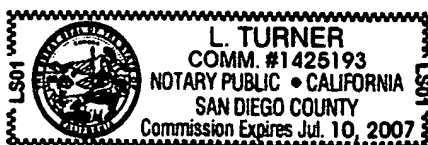
  
Edward S. Miller

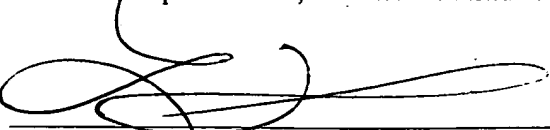
STATE OF CALIFORNIA }  
COUNTY OF SAN DIEGO } ss.

On 4-2-04, before me, L. TURNER, personally appeared Edward S. Miller personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 2nd day of April, 2004.

James F. Blake  
James F. Blake

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO } ss.

On 4-2-04, before me, L. TURNER, personally appeared James F. Blake personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



[Signature]  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 2 day of April, 2004.

Keith C. Herold  
Keith C. Herold

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO } ss.

On 4-2-04, before me, L. TURNER, personally appeared Keith C. Herold personally known to me (or proved to me on the basis of satisfactory evidence) to be the person( whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



[Signature]  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 2nd day of April, 2004

  
Michael D. Bergman

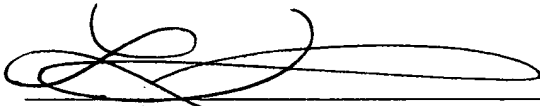
STATE OF CALIFORNIA }  
COUNTY OF SAN DIEGO } ss.

On 4-2-04, before me, L. TURNER, personally appeared Michael D. Bergman personally known to me (~~or proved~~) to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 2nd day of April, 2004

  
Kyle N. Danielson


STATE OF CALIFORNIA }  
COUNTY OF SAN DIEGO } ss.

On 4-2-04, before me, L. TURNER, personally appeared Kyle N. Danielson personally known to me (~~or proved~~) to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



  
Notary Signature



IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 7<sup>th</sup> day of April, 2004.

Alexandra L. Auckland  
Alexandra L. Auckland

STATE OF CALIFORNIA }  
COUNTY OF SAN DIEGO } ss.

On 4-7-04, before me, L. TURNER, personally appeared Alexandra L. Auckland personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

[Signature]  
Notary Signature

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